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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,492	06/22/2001	Luis M. Ortiz	ORTIZ-1001	7719
7590 11/23/2005 KERMIT D. LOPEZ/LUIS M. ORTIZ ORTIZ & LOPEZ, PLLC, PATENT ATTORNEYS P.O. BOX 4484 ALBUQUERQUE, NM 87196-4484			EXAMINER ELAHEE, MD S	
			ART UNIT 2645	PAPER NUMBER

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,492

Applicant(s)

ORTIZ, LUIS M.

Examiner

Md S. Elahee

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7-12, 14-23, 30, 31, 88-94, 97-100 and 105-117 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-12, 14-23, 30, 31, 88-94, 97-100 and 105-117 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed 08/19/05. Claims 1-3, 7-12, 14-23, 30, 31, 88-94, 97-100 and 105-117 are pending. Claims 4-6, 13, 24-29, 79-87, 95, 96 and 101-104 have been cancelled. Claims 32-78 have been previously withdrawn. Claims 106-117 have been added.

Response to Arguments

2. Applicant's arguments filed 08/19/05 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

Claim Objections

3. Claim 105 is objected to because of the following informalities: regarding claim 105, the phrase 'claim 104' in page 9, line 1 of the claim appears to be 'claim 100'. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 100 and 106 are rejected under 35 U.S.C. 102(e) as being anticipated by Yacoub (U.S. Pub. No. 2003/0011805).

Regarding claims 100 and 106, Yacoub teaches providing a request to a network resource to locate a publicly available printer [i.e., data rendering device (DRD)] for rendering the data, the request provided through a PDA [i.e., hand held wireless (WD)] and a public wireless communications network supporting wireless communication by the PDA to a network resource adapted for providing assistance to PDAs in locating printers by determining the PDA's geographic location, locating at least one printer located near the PDA based on its geographic location and identifying at least one printer to the PDA (fig.2; page 1, paragraph 0009, page 3, paragraphs 0024, 0025, 0027, 0028, page 5, paragraphs 0036-0038, page 6, paragraphs 0042, 0044-0046).

Yacoub further teaches receiving location information from the network resource through the PDA identifying at least one printer located near the PDA's location as determined by the network resource (page 3, paragraphs 0024, 0025, 0027, 0028, page 6, paragraphs 0042, 0045, 0046).

Yacoub further teaches selecting one printer (page 3, paragraphs 0024, 0025, 0027, 0028, page 6, paragraph 0046).

Yacoub further teaches selecting data for rendering at the printer using the PDA (page 3, paragraphs 0024, 0025, 0027, 0028, page 6, paragraphs 0042, 0044, 0046).

Yacoub further teaches transferring the data to the printer for rendering (page 4, paragraphs 0030, 0031, page 6, paragraphs 0042, 0047).

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Regarding claim 105, Eldridge teaches that the command enable WD user manipulation of data during rendering of the data at the DRD using the WD (page 2, paragraph 0020, page 4, paragraph 0030, page 5, paragraphs 0037, 0038).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claims 1-3, 7-9, 15-23, 30, 31, 88-94 and 97-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge et al. (U.S. Patent No. 6,515,988) in view of Yacoub (U.S. Pub. No. 2003/0011805).

Regarding claim 1, Eldridge teaches selecting document [i.e., data] from a portable device (PDA) [i.e., wireless device (WD)] for rendering at a publicly available printer [i.e., data rendering device (DRD)] with a location not yet known by the PDA (abstract; fig.5, 7; col.8, lines 62-67, col.9, lines 1-12, 24-33, 61-67, col.10, lines 1-6).

Eldridge further teaches receiving a request for the WD at a network supporting the WD to locate at least one printer in accordance with a WD user profile associated with the WD (col.7, lines 44-54, col.9, lines 35-45, 61-67, col.10, lines 1-6).

Eldridge further teaches locating at least one printer matching the WD user profile (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Eldridge further teaches identifying at least one printer matching the WD user profile to the WD in response to the request (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Eldridge further teaches selecting a printer (abstract; col.7, lines 44-54, col.9, lines 35-45, 61-67, col.10, lines 1-6).

Eldridge further teaches transferring the document to the printer rendering from electronic repository [i.e., memory] associated with the PDA (abstract; fig.5, 7; col.1, lines 29-35, col.7, lines 55-62, col.9, lines 35-45, 61-67, col.10, lines 1-6).

However, Eldridge does not specifically teach to locate at least one DRD in accordance with a combination of the WD's geographic location and a WD user profile as well as located near the WD. Yacoub teaches locating at least one printer in accordance with a combination of the WD's geographic location and a WD user preference [i.e., profile] as well as located near the WD (page 1, paragraph 0009, page 3, paragraphs 0024, 0025, 0027, 0028, page 5, paragraphs 0036-0038, page 6, paragraphs 0042, 0044-0046). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eldridge to locate at least one DRD in accordance with a combination of the WD's geographic location and a WD user profile as well as located near the WD as taught by Yacoub. The motivation for the modification

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is to have doing so in order to print particular document in accordance with user preference to a particular printer closest to the user.

Regarding claim 2, Eldridge teaches that the printer renders document only after a render command is provided to the printer through the PDA (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Regarding claims 3 and 93, Eldridge teaches that the render parameter [i.e., command] includes a service identifier [i.e., passcode] (col.7, lines 17-25, 55-61).

Regarding claim 7, Eldridge teaches that the data is rendered by the DRD after the render command is provided by a WD user on a user interface associated with the DRD (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Regarding claim 8, Eldridge teaches that the data is retrieved from an electronic repository [i.e., mailbox] assigned to the WD user only after the WD user provides a passcode to the DRD (col.9, lines 16-34).

Regarding claim 9, Eldridge teaches that the passcode is provided to the DRD by the WD (col.7, lines 44-54).

Regarding claim 15 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, it is not clear whether Eldridge teaches entering a DRD locator request with a network supporting the WD to find at least one DRD located near the WD, the locator request including WD location information, wherein the DRD location information is based on the WD location information. Yacoub teaches entering a DRD locator request with a network supporting the WD to find at least one DRD located near the WD, the locator request including WD location information, wherein the DRD location information is based on the WD location

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information (fig.2; page 1, paragraph 0009, page 3, paragraph 0024). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eldridge to allow entering a DRD locator request with a network supporting the WD to find at least one DRD located near the WD, the locator request including WD location information, wherein the DRD location information is based on the WD location information as taught by Yacoub. The motivation for the modification is to have doing so in order to find an appropriate printer to print a particular job.

Regarding claim 16, Eldridge teaches that the data is transferred to the DRD via at least one network supporting communication of the data to the DRD from the network supporting the WD following the request by the user to transfer the data to the DRD (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Regarding claim 17, Eldridge teaches the network supporting the WD facilitating transfer of the data to the DRD to a memory associated with the WD via the at least one network supporting communication of data to the DRD (col.9, lines 24-45, 61-67, col.10, lines 1-6).

Regarding claims 18-20 are rejected for the same reasons as discussed above with respect to claims 7-9 simultaneously.

Regarding claims 22 and 23 are rejected for the same reasons as discussed above with respect to claims 2 and 3 simultaneously.

Regarding claim 30 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Eldridge teaches requesting support from a network supporting the PDA [i.e., WD] to assist the user in locating at least one printer [i.e., data rendering device (DRD)] not assigned to the PDA and accessible to the user of the PDA, the locating executed by the network

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following at least one of commands by the user (abstract; col.7, lines 44-54, col.9, lines 35-45, 61-67, col.10, lines 1-6).

Regarding claim 31, Eldridge teaches that the PDA [i.e., WD] renders data to the printer after a render command is provided by the user associated with the WD (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Regarding claim 89, Eldridge teaches receiving at a workstation [i.e., network server] a request associated with the WD for delivery of the data for rendering at the printer (col.7, lines 44-54, col.9, lines 35-45, 61-67, col.10, lines 1-6).

Eldridge further teaches determining if delivery of data can be approved by at least one of the network and/or DRD (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Eldridge further teaches if delivery is approved, the server processes the request including facilitating delivery of the data to the DRD (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Regarding claim 90, Eldridge teaches receiving the data from the server at the DRD (col.9, lines 35-45).

Regarding claim 91, Eldridge teaches that the data is received at the DRD via a network supporting the DRD (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Regarding claim 92, Eldridge teaches rendering the data at the DRD following a rendering command received at the DRD by the WD (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Regarding claim 98, Eldridge teaches that the command enable WD user manipulation of data during rendering of the data at the DRD using the WD (col.9, lines 35-45, 61-67, col.10, lines 1-6).

Regarding claim 99, Eldridge teaches that the DRD is at least a copier [i.e., photocopier] (abstract; col.5, lines 29-31).

9. Claims 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge et al. (U.S. Patent No. 6,515,988) in view of Yacoub (U.S. Pub. No. 2003/0011805) further in view of Challener et al. (U.S. Patent No. 6,591,297).

Regarding claims 10 and 21, Eldridge in view of Yacoub fails to teach “said passcode is provided at a user interface associated with said DRD”. Challener teaches that the passcode is provided at an entry pad [i.e., user interface] associated with the printer [i.e., DRD] (fig.1; col.3, lines 16-18). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eldridge in view of Yacoub to allow the passcode being provided at a user interface associated with the DRD as taught by Challener. The motivation for the modification is to have doing so in order to store the location information in the memory.

10. Claims 11, 88, 94 and 97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge et al. (U.S. Patent No. 6,515,988) in view of Yacoub (U.S. Pub. No. 2003/0011805) further in view of Magro et al. (U.S. Patent No. 6,457,078).

Regarding claims 11, 88, 94 and 97, Eldridge in view of Yacoub fails to teach “said rendering command includes decryption coding”. Magro teaches that the rendering command includes decryption coding (abstract; col.3, lines 35-49, col.4, lines 16-24, 31-54). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eldridge in view of Yacoub to allow the rendering command including decryption coding as taught by Magro. The motivation for the modification is to have doing so in order to decode the control command associated with token.

11. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge et al. (U.S. Patent No. 6,515,988) in view of Yacoub (U.S. Pub. No. 2003/0011805) further in view of Borza (U.S. Patent No. 6,076,167).

Regarding claim 12, Eldridge in view of Yacoub fails to teach “said passcode includes at least one biometric”. Borza teaches that the passcode includes at least one biometric (col.8, lines 65-67). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eldridge in view of Yacoub to allow passcode including at least one biometric as taught by Borza. The motivation for the modification is to have doing so in order to provide reduce the information transmitted to the server to a subset of the biometric information.

12. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge et al. (U.S. Patent No. 6,515,988) in view of Yacoub (U.S. Pub. No. 2003/0011805) further in view of Ronen (U.S. Pub. No. 2002/0156708).

Regarding claim 14, Eldridge in view of Yacoub fails to teach “said network resource provides the WD with a passcode for use on an interface integrated with said DRD to cause said DRD to render the data”. Ronen teaches that the network resource provides the WD with a password [i.e., passcode] for use on an interface integrated with said DRD to cause said DRD to render the data (page 3, paragraph 0029). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eldridge in view of Yacoub to allow network resource provides WD with a passcode for use on an interface integrated with the DRD to cause the DRD to render the data as taught by Ronen. The motivation for the modification is to have doing so in order to provide security for retrieval of data.

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13. Claims 107-117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacoub (U.S. Pub. No. 2003/0011805) in view of Eldridge et al. (U.S. Patent No. 6,515,988).

Regarding claim 107, Yacoub teaches receiving a request at a network server from the hand held wireless device to transfer the data to the at least one publicly accessible printer identified by the network resource (fig.2; page 3, paragraphs 0024, 0025, page 4, paragraphs 0030, 0031, page 5, paragraphs 0036-0038, page 6, paragraphs 0042, 0044-0046).

Yacoub further teaches the network server transferring the data to the at least one publicly accessible printer in response to the request (page 3, paragraphs 0024, 0025, page 4, paragraphs 0030, 0031, page 5, paragraphs 0036-0038, page 6, paragraphs 0042, 0044-0046).

However, Yacoub does not specifically teach to retrieve data stored in memory associated with the wireless hand held device. Eldridge teaches to retrieve data stored in electronic repository [i.e., memory] associated with the wireless hand held device (col.9, lines 16-34). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yacoub to retrieve data stored In memory associated with the wireless hand held device as taught by Eldridge. The motivation for the modification is to have doing so in order to print a particular document to a particular printer closest to a user.

Regarding claims 108 and 113, Yacoub teaches that the at least one publicly accessible printer receiving the data from the network server A (page 3, paragraphs 0024, 0025, page 4, paragraphs 0030, 0031, page 5, paragraphs 0036-0038, page 6, paragraphs 0042, 0044-0046).

Regarding claims 109 and 114, Yacoub teaches that the at least one publicly accessible printer rendering the data it received from the network server after further receiving a command [i.e., passcode] entered by the user of the wireless hand held device directly onto a user interface

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associated with the at least one publicly available printer (page 2, paragraph 0020, page 4, paragraph 0030, page 5, paragraphs 0037, 0038).

Regarding claims 110 and 115, Yacoub teaches that the at least one publicly accessible printer rendering the data it received from the network server after further receiving a command [i.e., infrared authorization signal] from the wireless hand held device (page 2, paragraph 0020, page 4, paragraph 0030, page 5, paragraphs 0037, 0038).

Regarding claims 111 and 116, Yacoub teaches that the at least one publicly accessible printer rendering the data it received from the network server after further receiving a command [i.e., wireless authorization signal] provided locally from the wireless hand held device (page 2, paragraph 0020, page 4, paragraph 0030, page 5, paragraphs 0037, 0038).

Regarding claims 112 and 117 are rejected for the same reasons as discussed above with respect to claim 107. Furthermore, Yacoub teaches that the user of a hand held wireless device physically locating the publicly available printer (page 6, paragraph 0042).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dussell et al. (U.S. Pub. No. 2001/0018663) teach Position based personal digital assistant.

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.E.

MD SHAFIUL ALAM ELAHEE
November 13, 2005


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600